

## IN THE CLAIMS

Please amend the claims to read as follows:

### Listing of Claims

Claims 1-26 (Cancelled).

27. (Currently Amended) A base station comprising:

an allocation unit configured to allocate an uplink resource, comprising at least one of a frequency resource and a spreading code resource, to be used by a mobile station for transmitting an ACK/NACK signal in response to user data transmitted from the base station to the mobile station;

a modulating unit configured to modulate control information that is directed to the mobile station and that includes both first allocation information indicating the uplink resource and second allocation information which is that comprises downlink resource allocation information and [[which]] that indicates a destination of the user data; and

a transmitting unit configured to ~~simultaneously transmit, to the mobile station,~~ the modulated control information including the first allocation information and the modulated second allocation information to be simultaneously transmitted on a control channel and configured to transmit, to the mobile station, the user data on a user channel.

28. (Previously Presented) The base station according to claim 27, wherein the frequency resource corresponds to a subcarrier.

29. (Previously Presented) The base station according to claim 27, further comprising an encoding unit configured to encode the first allocation information together with the second allocation information.

30. (Currently Amended) A transmitting method comprising:  
allocating an uplink resource, comprising a frequency resource ~~[[or]]~~ and a spreading code resource, to be used by a mobile station for transmitting an ACK/NACK signal in response to user data transmitted from a base station to the mobile station;

modulating control information that is directed to the mobile station and that includes both first allocation information indicating the uplink resource and second allocation information which that is downlink resource allocation information and which that indicates a destination of the user data;

simultaneously transmitting, to the mobile station, the modulated control information including the first allocation information and the modulated second allocation information to be simultaneously transmitted on a control channel; and

transmitting, to the mobile station, the user data on a user channel.

31. (Currently Amended) The transmitting method according to claim 30, wherein the frequency resource corresponds to a subcarrier or a spreading code.

32. (Previously Presented) The transmitting method according to claim 30, further comprising encoding the first allocation information together with the second allocation information.

33. (Currently Amended) The base station according to claim 27, further comprising:  
a generating unit configured to generate transmit power information of the ACK/NACK  
signal, wherein

said modulating unit modulates the control information including the transmit power  
information, and said transmitting unit simultaneously transmits, to the mobile station, the  
modulated control information including the first allocation information, the ~~modulated~~ second  
allocation information and the ~~modulated~~ power information to be simultaneously transmitted on  
the control channel.

34. (Currently Amended) The transmitting method according to claim 30 further  
comprising:

generating transmit power information of the ACK/NACK signal, wherein  
the control information including the transmit power information is modulated and  
simultaneously the modulated control information including the first allocation information, the  
second allocation information and the power information to be simultaneously transmitted is  
transmitted, to the mobile station, with the modulated first information and the modulated second  
~~information~~ on the control channel.

35. (Withdrawn) A mobile station comprising:  
a receiving unit configured to receive the first allocation information and the second  
allocation information which are transmitted on the control channel from said base station

according to claim 27 and configured to receive the user data which is transmitted on the user channel from said base station;

a demodulating unit configured to demodulate the first allocation information, the second allocation information and the user data;

an error detection unit configured to perform an error detection of the user data; and

a transmitting unit configured to transmit the ACK/NACK signal, according to a result of the error detection, using the resource indicated by the first allocation information.

36. (Withdrawn) A mobile station comprising:

a receiving unit configured to simultaneously receive first allocation information indicating a resource and second allocation information indicating a destination of user data, which are transmitted on a control channel from a base station, and configured to receive the user data which is transmitted on a user channel from the base station;

a demodulating unit configured to demodulate the first allocation information, the second allocation information and the user data;

an error detection unit configured to perform an error detection of the user data; and

a transmitting unit configured to transmit an ACK/NACK signal, according to a result of the error detection, using the resource indicated by the first allocation information.

37. (Currently Amended) A base station comprising:

an allocation unit configured to allocate an uplink resource, comprising a frequency resource and a spreading code resource, to be used by a mobile station for transmitting an ACK/NACK signal in response to user data transmitted from the base station to the mobile

station;

an encoding unit configured to encode first allocation information indicating the uplink resource together with second allocation information ~~which is~~ that comprises a downlink resource allocation information and ~~which~~ that indicates a destination of the user data to provide control information including the encoded first and second allocation information that is directed to the mobile station;

a modulating unit configured to modulate the ~~encoded first and second allocation information~~ control information; and

a transmitting unit configured to transmit, to the mobile station, the modulated and ~~encoded first and second allocation~~ control information, including the encoded first and second allocation information, to be simultaneously transmitted on a control channel and configured to transmit, to the mobile station, the user data on a user channel.

38. (Currently Amended) A transmitting method comprising:

allocating an uplink resource, comprising a frequency resource and a spreading code resource, to be used by a mobile station for transmitting an ACK/NACK signal in response to user data transmitted from the base station to the mobile station;

encoding first allocation information indicating the uplink resource together with second allocation information that ~~which is a~~ comprises downlink resource allocation information and ~~which~~ that indicates a destination of the user data to provide control information including the encoded first and second allocation information that is directed to the mobile station;

modulating the control information including the encoded first and second allocation information; and

transmitting, to the mobile station, the modulated and control information including the encoded first and second allocation information to be simultaneously transmitted on a control channel and the user data on a user channel.

39. (Previously Presented) The base station according to claim 27, further comprising:  
a measuring unit configured to measure a channel quality between the base station and the mobile station, wherein:

said allocating unit allocates the uplink resource based on the channel quality.

40. (Previously Presented) The transmitting method according to claim 30, further comprising:

measuring a channel quality between the base station and the mobile station, wherein the uplink resource is allocated based on the channel quality.